

112TH CONGRESS
1ST SESSION

H. R. 241

To authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2011

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 In this Act:

5 (1) **FEDERAL LAND.**—The term “Federal land”
6 means the approximately 5 acres of National Forest
7 System land in Santa Barbara County, California,
8 as generally depicted on the map.

1 (2) FOUNDATION.—The term “Foundation”
2 means the White Lotus Foundation, a nonprofit
3 foundation located in Santa Barbara, California.

4 (3) MAP.—The term “map” means the map en-
5 titled “San Marcos Pass Encroachment for Consid-
6 eration of Legislative Remedy” and dated June 1,
7 2009.

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of Agriculture.

10 **SEC. 2. LAND CONVEYANCE.**

11 (a) IN GENERAL.—Subject to the provisions of this
12 section, if the Foundation offers to convey to the Secretary
13 all right, title, and interest of the Foundation in and to
14 a parcel of non-Federal land that is acceptable to the Sec-
15 retary—

16 (1) the Secretary shall accept the offer; and

17 (2) on receipt of acceptable title to the non-
18 Federal land, the Secretary shall convey to the
19 Foundation all right, title, and interest of the United
20 States in and to the Federal land.

21 (b) APPLICABLE LAW.—The land exchange author-
22 ized under subsection (a) shall be subject to section 206
23 of the Federal Land Policy and Management Act of 1976
24 (43 U.S.C. 1716).

1 (c) TIME FOR COMPLETION OF LAND EXCHANGE.—

2 It is the intent of Congress that the land exchange under
3 subsection (a) shall be completed not later than 2 years
4 after the date of enactment of this Act.

5 (d) AUTHORITY OF SECRETARY TO CONDUCT SALE

6 OF FEDERAL LAND.—If the land exchange under sub-
7 section (a) is not completed by the date that is 2 years
8 after the date of enactment of this Act, the Secretary may
9 offer to sell to the Foundation the Federal land for fair
10 market value.

11 (e) ADDITIONAL TERMS AND CONDITIONS.—The

12 land exchange under subsection (a) and any sale under
13 subsection (d) shall be subject to—

14 (1) valid existing rights;

15 (2) the Secretary finding that the public inter-
16 est would be well served by making the exchange or
17 sale;

18 (3) any terms and conditions that the Secretary
19 may require; and

20 (4) the Foundation paying the reasonable costs
21 of any surveys, appraisals, and any other adminis-
22 trative costs associated with the land exchange or
23 sale.

24 (f) APPRAISALS.—

1 (1) IN GENERAL.—The land conveyed under
2 subsection (a) or (d) shall be appraised by an inde-
3 pendent appraiser selected by the Secretary.

4 (2) REQUIREMENTS.—An appraisal under para-
5 graph (1) shall be conducted in accordance with na-
6 tionally recognized appraisal standards, including—

7 (A) the Uniform Appraisal Standards for
8 Federal Land Acquisitions; and

9 (B) the Uniform Standards of Professional
10 Appraisal Practice.

11 (g) DISPOSITION OF PROCEEDS.—

12 (1) IN GENERAL.—The Secretary shall deposit
13 in the fund established under Public Law 90–171
14 (commonly known as the “Sisk Act”) (16 U.S.C.
15 484a) any amount received by the Secretary as the
16 result of—

17 (A) any cash equalization payment made
18 under subsection (b); and

19 (B) any sale carried out under subsection
20 (d).

21 (2) USE OF PROCEEDS.—Amounts deposited
22 under paragraph (1) shall be available to the Sec-
23 retary, without further appropriation and until ex-
24 pended, for the acquisition of land or interests in
25 land in the Los Padres National Forest.

1 (h) MANAGEMENT AND STATUS OF ACQUIRED
2 LAND.—Any non-Federal land acquired by the Secretary
3 under this Act shall be managed by the Secretary in ac-
4 cordance with—

5 (1) the Act of March 1, 1911 (commonly known
6 as the “Weeks Law”) (16 U.S.C. 480 et seq.); and

7 (2) any laws (including regulations) applicable
8 to the National Forest System.

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